

**REMARKS**

***Summary of the Amendment***

Upon entry of the above amendment, claims 5, 16, 17 and 25-27 will have been amended. Accordingly, claims 5-27 will be pending, with claims 5, 17 and 26 being in independent form.

***Summary of the Official Action***

In the Office action, the Examiner indicated that claims 16, 25 and 27 were withdrawn as being directed to an invention distinct from an invention constructively elected by original presentation. The Examiner, however, approved the drawing amendment filed September 29, 2003. The Examiner also objected to the specification as introducing new matter. The Examiner also objected to claims 5-27 as containing the mis-spelled word "indwardly." Next, the Examiner rejected claims 16, 25 and 27 under section 112, first paragraph, as failing to comply with the written description requirement. Finally, the Examiner rejected claims 5-15, 17-24, 26 over the applied art of record. By the present amendment and remarks, Applicant submits that the objections and rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

***Present Amendment is proper for entry***

Applicant submits that the instant amendment is proper for entry after final rejection. Moreover, Applicant notes that no question of new matter nor are any new issues raised in entering the instant amendment of the claims and that no new search would be required, especially since the Examiner suggested the claim changes and implied that such an amendment would resolve the formal claim objection.

Moreover, Applicant submits that the instant amendment places the application in condition for allowance, or at least in better form for appeal.

Accordingly, Applicant request that the Examiner enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims.

***Interview of March 25, 2004***

Applicant appreciates the courtesy extended by Examiner Dunwoody in the Interview of March 25, 2004. In that interview, Applicant's representative discussed, among other things, that:

the restriction was improper because MPEP 821.04 states that Applicant is entitled to entry of process claims which depend from apparatus claims if such an amendment is filed prior to Final Rejection or a Notice of Allowance. The Examiner agreed to review

Applicant's arguments in this regard;

the objection to the Amendment filed on September 29, 2004 was improper because claims 16, 25 and 27 (the language of which was incorporated into the specification as paragraphs [0020], [0023] and [0025]) introduce new matter. Specifically, Applicant pointed out that the entire disclosure, including the drawing, provide sufficient disclosure of what is claimed in claims 16, 25 and 27 and, therefore, the language in paragraphs [0020], [0023] and [0025] is fully supported by the original disclosure. The Examiner agreed to review Applicant's arguments in this regard;

the rejection of claims 16, 25 and 27 under section 112, first paragraph, was improper because claims 16, 25 and 27 fully comply with the written description requirement. Specifically, Applicant pointed out that the entire disclosure, including the drawing, provide sufficient disclosure of what is claimed in claims 16, 25 and 27. Applicant's representative also pointed out where in the original disclosure there is support for each recited feature of claims 16, 25 and 27. The Examiner agreed to review Applicant's arguments in this regard;

the obviousness rejections were improper because the Examiner has clearly not demonstrated that these documents disclose or suggest the combination of two internal pressure surfaces and two nut strips wherein the two pressure surfaces are configured to deformed radially inwardly ends of the two nut strips. It was also emphasized that the Examiner has set forth no motivation for combining the teachings of the documents and that

P22017.A04

the Examiner was improperly using Applicant's disclosure for as a basis for making the asserted combination. Finally, it was pointed out that Applicant's invention results in a device which provides for two point compression of the cylindrical element or cable whereas the prior art devices clearly lack any suggestion of such two point compression. The Examiner disagreed that the rejections were improper and indicated that, in his opinion, the claims were "too broad."

***The Election/Restriction is improper***

The Examiner indicated that claims 16, 25 and 27 were withdrawn as being directed to an invention distinct from an invention constructively elected by original presentation.

Applicant respectfully submits that this withdrawal of claims 16, 25 and 27 was improper and contrary to current USPTO rules. Applicant refers the Examiner to, for example, MPEP 821.04 which states that "[p]rocess claims which depend from or otherwise include all the limitations of the patentable product will be entered as a matter of right if the amendment is presented prior to final rejection or allowance."

Accordingly, as these claims depend from claims which were examined and as these claims were "presented prior to final rejection or allowance", Applicant were entitled to entry and consideration of these claims "as a matter of right."

As the Examiner did not enter and fully consider these claims on the merits, Applicant

P22017.A04

respectfully requests that the Examiner carefully consider and treat the merits of all pending claims in the next Official action.

***The Instant Final Office Action is improper and the Examiner cannot properly make  
the next action Final***

Inasmuch as the Examiner has apparently failed, in the instant Official action, to fully consider the merits of claims 16, 25 and 27, Applicant submits that the finality of the instant Office Action is improper and that the next action cannot be made final.

Applicant notes that the Examiner has indicated in the instant Office Action that claims 16, 25 and 27 were withdrawn because, the Examiner asserted that they are directed to an invention distinct from an invention constructively elected by original presentation

Applicant respectfully submits that this withdrawal of claims 16, 25 and 27 was improper and contrary to current USPTO rules. Applicant refers the Examiner to, for example, MPEP 821.04 which states that “[p]rocess claims which depend from or otherwise include all the limitations of the patentable product will be entered as a matter of right if the amendment is presented prior to final rejection or allowance.”

Accordingly, as these claims depend from claims which were examined and as these claims were “presented prior to final rejection or allowance”, Applicant were entitled to entry and consideration of these claims “as a matter of right.”

As the Examiner did not enter and fully consider these claims on the merits, Applicant respectfully requests that the Examiner carefully consider and treat the merits of all pending claims in the next Official action.

***Traversal of the objection to the specification***

The Examiner objected to the disclosure because the Amendment filed September 29, 2003, which amended the specification, was asserted to contain new matter.

Applicant respectfully disagrees. While the Examiner has concluded that the language of claims 16, 25 and 27, which was introduced into the specification by Substitute Specification in paragraphs [0020], [0023] and [0025] contains new matter, Applicant submits that, contrary to the Examiner's assertions, each feature recited in these paragraphs finds full and clear support in the original disclosure.

Applicant notes that MPEP 2163.06 specifically indicates that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter." Moreover, MPEP 2163.01 specifically explains that "subject matter of the claim need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement."

For Examiner's convenience, Applicant is herein presenting claim 16 with support for

the recited features being, by way of non-limiting example, identified in parentheses as follows:

16. A method of fixing the cylindrical element (see page 1, lines 1-10 of the original specification and Figs. 3-6) using the device of claim 5, the method comprising:

arranging the coupling bushing (3) on the cylindrical element (1) with the first nut strips (9) facing in a first direction (direction facing nut 6 in Fig. 2);

arranging the sleeve (4) on the cylindrical element (1) with the second nut strips (10) facing in a second opposite direction (direction facing bushing 3 in Fig. 2 is opposite the direction facing the nut 6);

arranging the covering nut (6) on (see Figs. 3-6) the cylindrical element (1);

moving the covering nut (6) towards the coupling bushing (3);

engaging and deforming (see Fig. 4) ends of the second nut strips (10) radially inwardly with the first internal pressure surface (12) by moving (compare Figs. 3 and 4) the covering nut (6) towards the coupling bushing (3);

threadably engaging (see Fig. 4) internal threads of the covering nut (6) and the external threads of the coupling bushing (3); and

engaging and deforming (see Fig. 5) ends of the first nut strips (9) radially inwardly with the second internal pressure surface (11) by moving the covering nut (6) further towards the coupling bushing (3).

Claims 25 and 27 recite similar features and similarly find support in the original disclosure.

Finally, to the extent that the Examiner believes that some terms are not literally used in the original disclosure, Appellant reminds the Examiner that “the failure of the specification to specifically mention a limitation that later appears in the claims is not a fatal one when one skilled in the art would recognize upon reading the specification that the new language reflects what the specification shows has been invented.” See *All Dental Prodx, LLC v. Advantage Dental Products, Inc.*, 02-1107 (Fed. Cir. 2002) noting *Eiselstein v. Frank*, 52 F.3d 1035, 1039, 34 USPQ2d 1467, 1470 (Fed. Cir. 1995). A copy of the *All Dental Prodx* case is attached to the instant Amendment.

Accordingly, the objection is believed to be rendered moot and/or is traversed and the Examiner is requested to withdraw this objection.

***Objections to the claims is moot***

The Examiner objected to claims 5-27 because they use the mis-spelled term “indwardly” instead of “inwardly”.

Applicant agrees that this term is mis-spelled and submits that this objection is moot inasmuch as claims 5, 16, 17 and 25-27 has been amended to replace the term “indwardly” instead of “inwardly”.



Accordingly, the objection is believed to be rendered moot and the Examiner is requested to withdraw this objection.

***Traversal of the Section 112, first paragraph, rejection***

The Examiner rejected claims 16, 25 and 27 on the basis of section 112, first paragraph, as failing to comply with the written description requirement because claims 16, 25 and 27 were asserted as introducing new matter.

Applicant respectfully disagrees. While the Examiner has concluded that the language of claims 16, 25 and 27 introduces new matter because the original specification fails to literally or *in haec verba* mention a method of fixing a cylindrical element, Applicant submits that each feature recited in these claims finds full and clear support in the original disclosure, i.e., in the original drawings, specification and claims.

Applicant notes that the Examiner has clearly failed to evaluate the claims on the correct standard for measuring compliance with the written description requirement. The standard is not one requiring express support in the original disclosure, as implied by the Examiner in the instant Office Action. To the contrary, MPEP 2163.05 indicates that the correct standard for measuring claims under the written description requirement is one wherein “each claim limitation must be expressly, implicitly, or inherently supported in the originally filed disclosure” (emphasis added). Applicant submits that the originally filed

disclosure (including the drawings) provide clear implicit and/or inherent support for these claims.

As explained above, MPEP 2163.06 specifically indicates that “information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter.” Moreover, MPEP 2163.01 specifically explains that “subject matter of the claim need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement.”

Applicant notes that support for claims 16, 25 and 27 has been pointed out with regard to the above-noted objection to the specification section. Accordingly, Applicant expressly incorporates those arguments herein.

Finally, Applicant again reminds the Examiner that “the failure of the specification to specifically mention a limitation that later appears in the claims is not a fatal one when one skilled in the art would recognize upon reading the specification that the new language reflects what the specification shows has been invented.” See *All Dental Prodx, LLC v. Advantage Dental Products, Inc.*, 02-1107 (Fed. Cir. 2002) noting *Eiselstein v. Frank*, 52 F.3d 1035, 1039, 34 USPQ2d 1467, 1470 (Fed. Cir. 1995). A copy of the *All Dental Prodx* case is attached to the instant Amendment.

Accordingly, the rejection is believed to be rendered moot and/or is traversed and the

Examiner is requested to withdraw this objection.

***Traversal of Rejections Under 35 U.S.C. § 103(a)***

***Over Sheehan and Robertson***

Applicant respectfully traverses the rejection of claims 5-9, 15 and 17-19 under 35 U.S.C. § 103(a) as unpatentable over US Patent 5,866,853 to SHEEHAN in view of US Patent 3,980,325 to ROBERTSON.

The Examiner asserted that SHEEHAN fairly discloses all of the claimed features recited in these claims except for, among other things, a sleeve which includes nut strips. However, the Examiner asserted that ROBERTSON discloses a sleeve with nut strips and that it would have been obvious to modify the device of SHEEHAN in view of the teachings of ROBERTSON. Applicant respectfully traverses this rejection and each of the Examiner's assertions.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of the above-noted documents discloses or suggests, inter alia, a coupling bushing comprising external threads, first nut strips which extend axially beyond the external threads, and *a first internal pressure surface*, a covering nut comprising *a second internal pressure surface configured to engage and deform ends of the first nut strips radially inwardly and towards the cylindrical element when*

P22017.A04

*the cylindrical element is introduced into the coupling bushing and the covering nut, and a sleeve comprising second nut strips and an external diameter which is at most equal to an internal diameter of the coupling bushing, whereby the sleeve, with the second nut strips being introduced first, is adapted to be introduced into the coupling bushing, wherein the first internal pressure surface is configured to engage and deform ends of the second nut strips radially inwardly and towards the cylindrical element when the cylindrical element is introduced into the coupling bushing and the covering nut, as recited in new independent claim 5, and inter alia, a coupling bushing comprising external threads, first strips which extend axially from one end of the coupling bushing, and a first internal tapered pressure surface, a nut comprising internal threads and a second internal tapered pressure surface configured to engage and deform ends of the first strips radially inwardly, the internal threads of the nut being configured to threadably engage the external threads of the coupling bushing, a sleeve comprising second strips which extend axially from one end of the sleeve, and the sleeve being configured to slide within the coupling bushing, wherein the first internal tapered pressure surface is configured to engage and deform ends of the second strips radially inwardly when the nut moves towards the coupling bushing, as recited in independent claim 17.*

Applicant acknowledges that SHEEHAN relates to an electrical conduit connector as well as the Examiner's assertion that Fig. 5 of SHEEHAN discloses a coupling bushing 119

with nut strips 151 and a nut 162 with a pressure surface 160. However, it is clear from a fair review of, e.g., Fig. 5, that SHEEHAN fails to disclose or suggest a coupling bushing which includes external threads, first nut strips which extend axially beyond the external threads, and a *first internal pressure surface wherein the first internal pressure surface is configured to engage and deform ends of the second nut strips radially inwardly and towards the cylindrical element when the cylindrical element is introduced into the coupling bushing and the covering nut*. To the contrary, it is clear from Fig. 5 that the coupling bushing 119 lacks any internal pressure surface, much less, one that *is configured to engage and deform ends of the second nut strips radially inwardly*. Additionally, as acknowledged by the Examiner, this document clearly lacks any disclosure to a sleeve comprising *second nut strips and an external diameter which is at most equal to an internal diameter of the coupling bushing*, whereby the sleeve, with the second nut strips being introduced first, is adapted to be introduced into the coupling bushing.

It is also clear that SHEEHAN fails to disclose or suggest a coupling bushing comprising external threads, first strips which extend axially from one end of the coupling bushing, and a *first internal tapered pressure surface, wherein the first internal tapered pressure surface is configured to engage and deform ends of the second strips radially inwardly when the nut moves towards the coupling bushing*. Additionally, the Examiner has acknowledged that this document lacks any disclosure with regard to either a sleeve

comprising *second strips which extend axially from one end of the sleeve*, and the sleeve being configured to slide within the coupling bushing.

Applicant acknowledges the Examiner's opinion that ROBERTSON apparently discloses a sleeve 12 with strips (see Fig. 6). However, it is apparent that this document relates to a fitting for a plastic pipe which is used for an underground lawn sprinkling system (see col. 1, lines 10-13). Thus, the Examiner must acknowledge the instant rejection is based upon the combination of a pipe fitting and an electrical connector system - items which are entirely unrelated to one another. Applicant submits that, contrary to the Examiner's assertions, it would not have been obvious to one of ordinary skill in the art to use a pipe fitting sleeve from a sprinkler system as taught by ROBERTSON on the electrical conduit connector of SHEEHAN.

Applicant further notes that ROBERTSON also fails to disclose or suggest a coupling bushing which includes external threads, first nut strips which extend axially beyond the external threads, and *a first internal pressure surface wherein the first internal pressure surface is configured to engage and deform ends of the second nut strips radially inwardly and towards the cylindrical element when the cylindrical element is introduced into the coupling bushing and the covering nut*. To the contrary, it is clear from Fig. 5 that bushing 10 is entirely lacking in nut strips and in an internal pressure surface. Nor does this document disclose or suggest a covering nut comprising *a second internal pressure surface*

P22017.A04

*configured to engage and deform ends of the first nut strips radially inwardly and towards the cylindrical element when the cylindrical element is introduced into the coupling bushing and the covering nut.* Finally, this document clearly lacks any disclosure to a sleeve comprising *second nut strips and an external diameter which is at most equal to an internal diameter of the coupling bushing*, whereby the sleeve, with the second nut strips being introduced first, is adapted to be introduced into the coupling bushing. To the contrary, Fig. 7 shows that the sleeve 12 slides over the bushing 10 and, thus, the sleeve 12 clearly lacks *an external diameter which is at most equal to an internal diameter of the coupling bushing.*

It is also clear that ROBERTSON fails to disclose or suggest a coupling bushing comprising external threads, first strips which extend axially from one end of the coupling bushing, and *a first internal tapered pressure surface*, wherein *the first internal tapered pressure surface is configured to engage and deform ends of the second strips radially inwardly when the nut moves towards the coupling bushing.* Again, it is clear from Fig. 5 that bushing 10 is entirely lacking in nut strips and in an internal pressure surface. Nor does this document disclose or suggest a nut comprising internal threads and *a second internal tapered pressure surface configured to engage and deform ends of the first strips radially inwardly*, the internal threads of the nut being configured to threadably engage the external threads of the coupling bushing. Finally, this document lacks any disclosure with regard to either a sleeve comprising *second strips which extend axially from one end of the sleeve*, and

P22017.A04

the sleeve being configured to slide within the coupling bushing. Again, Fig. 7 shows that the sleeve 12 slides over the bushing 10 and, thus, the sleeve 12 clearly is not configured to slide within the coupling bushing.

By way of background, the invention provides for a device in which two sets of oppositely arranged strips 9 and 10 are engaged and deformed inwardly by two internal pressure surfaces 11 and 12 in order to provide for two point compression of the cylindrical element or cable 1. In contrast to the instant invention, the applied documents do not suggest a device which recites the combination of two nut strips and two pressure surfaces, much less, that these features increases the two point compression of the cylindrical element with two sets of strips and two internal pressure surfaces as the nut is brought closer to the coupling bushing.

Thus, Applicant submits that the above-noted document fails to disclose or suggest the features recited in at least independent claims 5 and 17. Because no proper combination of SHEEHAN and ROBERTSON discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination or modification of these documents can render unpatentable the combination of features recited in at least independent claims 5 and 17.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the



Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claims 5 and 17 is not rendered obvious by any reasonable inspection of these disclosures.

Applicant again directs the Examiner's attention to the guidelines identified in M.P.E.P section 2141 which state that "[i]n determining the propriety of the Patent Office case for obviousness in the first instance, it is necessary to ascertain whether or not the reference teachings would appear to be sufficient for one of ordinary skill in the relevant art having the reference before him to make the proposed substitution, combination, or other modification." *In re Linter*, 458 F.2d 1013, 1016, 173 USPQ 560, 562 (CCPA 1972).

As this section clearly indicates, "[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)."

Moreover, it has been legally established that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430

P22017.A04

(Fed. Cir. 1990) .... Although a prior art device ‘may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.’ 916 F.2d at 682, 16 USPQ2d at 1432.). See also *In re Fritch*, 972 F.2d 1260, 23 USPQ2d 1780 (Fed. Cir. 1992) (flexible landscape edging device which is conformable to a ground surface of varying slope not suggested by combination of prior art references).”

Additionally, it has been held that “[a] statement that modifications of the prior art to meet the claimed invention would have been ‘well within the ordinary skill of the art at the time the claimed invention was made’ because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references.” *Ex parte Levensgood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993).

Furthermore, Applicant submits that dependent claims 6-9, 15, 18 and 19 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of SHEEHAN and ROBERTSON discloses or suggests, in combination: that the cylindrical element comprises a cable as recited in claim 6; that the first and second internal pressure surfaces are configured to cause the first and second nut strips to be anchored in the cylindrical element when the covering

P22017.A04

nut is tightened as recited in claim 7; that the first and second internal pressure surfaces comprise tapered surfaces as recited in claim 8; that the first and second internal pressure surfaces comprise tapered surfaces which face in opposite directions as recited in claim 9; that the covering nut comprises internal threads configured to threadably engage the external threads of the coupling bushing as recited in claim 15; that the first and second internal tapered pressure surfaces are configured to cause the first and second strips to be anchored in the cable when the nut is tightened onto the coupling bushing as recited in claim 18; and that the first and second internal tapered pressure surfaces face in opposite directions as recited in claim 19.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

Over Sheehan with Robertson and Kitagawa

Applicant also respectfully traverses the rejection of claims 10-14, 20-24 and 26 under 35 U.S.C. § 103(a) as unpatentable over US Patent 5,866,853 to SHEEHAN in view of US Patent 3,980,325 to ROBERTSON, and further in view of US Patent 4,250,348 to KITAGAWA.

Applicant notes that, in addition to the above-noted defects of SHEEHAN and

P22017.A04

ROBERTSON, KITAGAWA fails to provide any teaching or suggestions of the above-noted deficient subject matter, or the requisite motivation or rationale to render the assorted combination of SHEEHAN and ROBERTSON proper.

Moreover, Applicant acknowledges that KITAGAWA relates to a clamping device for cables and the Examiner's assertion that KITAGAWA discloses a tubular packing seal 11. However, it is clear from a fair review of Figs. 5 and 6 that KITAGAWA fails to disclose or suggest a coupling bushing which includes external threads, first nut strips which extend axially beyond the external threads, and *a first internal pressure surface wherein the first internal pressure surface is configured to engage and deform ends of the second nut strips radially inwardly and towards the cylindrical element when the cylindrical element is introduced into the coupling bushing and the covering nut.* To the contrary, pressure surface 6 is merely a groove which receives the packing seal 11 during deformation (see col. 3, lines 38-39). Additionally, this document clearly lacks any disclosure to a sleeve, much less, one which comprises *second nut strips and an external diameter which is at most equal to an internal diameter of the coupling bushing*, whereby the sleeve, with the second nut strips being introduced first, is adapted to be introduced into the coupling bushing.

It is also clear that KITAGAWA fails to disclose or suggest a coupling bushing comprising external threads, first strips which extend axially from one end of the coupling bushing, and *a first internal tapered pressure surface, wherein the first internal tapered*

P22017.A04

*pressure surface is configured to engage and deform ends of the second strips radially inwardly when the nut moves towards the coupling bushing.* Again, pressure surface 6 is merely a groove which receives the packing seal 11 during deformation (see col. 3, lines 38-39). It is also clear that this document lacks any disclosure with regard to a sleeve, much less, one comprising *second strips which extend axially from one end of the sleeve*, and the sleeve being configured to slide within the coupling bushing. Nor can it be properly said that, absent any type of sleeve, the packing seal 11 is *adapted to be inserted partially into the sleeve and the coupling bushing.*

As explained above, the invention provides for a device in which two sets of oppositely arranged strips 9 and 10 are engaged and deformed inwardly by two internal pressure surfaces 11 and 12 in order to provide for two point compression of the cylindrical element or cable 1. In contrast to the instant invention, the applied documents do not suggest a device which increases the two point compression of the cylindrical element with two sets of strips and two internal pressure surfaces as the nut is brought closer to the coupling bushing.

Thus, Applicant submits that the above-noted document fails to disclose or suggest the features recited in at least independent claims 5, 17 and 26. Because no proper combination of SHEEHAN, ROBERTSON and KITAGAWA discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper

P22017.A04

combination or modification of these documents can render unpatentable the combination of features recited in at least independent claims 5, 17 and 26.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claims 5, 17 and 26 is not rendered obvious by any reasonable inspection of these disclosures.

Furthermore, Applicant submits that dependent claims 10-14 and 20-24 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of SHEEHAN, ROBERTSON and KITAGAWA discloses or suggests, in combination: that the device further comprises a tubular packing seal adapted to be inserted in, a final assembled position, between the cylindrical element and the sleeve as recited in claim 10; that the device further comprises a tubular packing seal adapted to be inserted in, a final assembled position, between the cylindrical element and the first nut strips as recited in claim 11; that the device further comprises a packing seal adapted to slide over the cylindrical element and into the sleeve as recited in claim 12; that the packing seal comprises a first part having a first external

P22017.A04

diameter and a second part having a different second external diameter as recited in claim 13; that the first diameter is smaller than the second diameter, wherein the first diameter corresponds substantially to an internal diameter of the sleeve, and wherein the second diameter corresponds substantially to the internal diameter of the coupling bushing as recited in claim 14; that the device further comprises a tubular packing seal adapted to be inserted between the cable and the sleeve as recited in claim 20; that the device further comprises a tubular packing seal adapted to be inserted between the cable and the first strips as recited in claim 21; that the device further comprises a packing seal adapted to slide over the cable and into the sleeve as recited in claim 22; that the packing seal comprises a first part having a first external diameter and a second part having a different second external diameter as recited in claim 23; and that the first diameter is smaller than the second diameter, wherein the first diameter corresponds substantially to an internal diameter of the sleeve, and wherein the second diameter corresponds substantially to the internal diameter of the coupling bushing as recited in claim 24.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

**CONCLUSION**

Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. § § 112, 102 and 103 and respectfully requests the Examiner to indicate allowance of each and every pending claim of the present invention.

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious Applicant's invention, as recited in each of claims 5-27. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

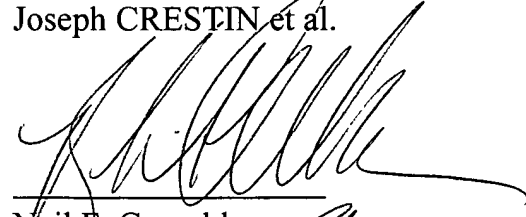
The Commissioner is hereby authorized to charge any fees necessary for consideration of this amendment to deposit account No. 19-0089.



P22017.A04

Should there be any questions, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,  
Joseph CRESTIN et al.

  
Neil F. Greenblum  
Reg. No. 28,394 *FF 35, 813*

March 26, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191